

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

CIVIL REVISION PETITION No.1442 of 2015

ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908 by the petitioner/3rd claimant is directed against the orders dated 26.02.2015 of the learned Chairman, Principal Motor Accidents Claims Tribunal, Warangal ('the Tribunal', for brevity) passed in IA No. 272 of 2015 in M V OP No. 894 of 2011, whereby, the learned Chairman of the Tribunal had rejected the request of the petitioner/3rd claimant to withdraw her share of compensation for the reason that there is a direction in the award to keep the amount in deposit for a period of 18 months.

2. At the hearing, the learned counsel for the petitioner/3rd claimant would submit that by now, the said period of 18 months had elapsed and that the marriage of the said 3rd claimant is performed and that she is now depending upon her husband and that therefore, there is no need to keep her amount in deposit any longer keeping in view her future sustenance and that in the circumstances stated in the affidavit filed in support of the petition for release of amount in her favour, the petitioner is entitled to receive her entire compensation amount with interest and that there are no impediments for releasing the said amount in her favour.

3. Having regard to the submissions and the facts and circumstances of the case, this Court is satisfied that the impugned order calls for interference at this stage.

4. Accordingly, the Civil Revision Petition is allowed and the order impugned is set aside and the IA No. 272 of 2015 in M V OP No. 894 of 2011 is allowed. The trial Court is accordingly directed to now entertain the application that may be filed by the petitioner for issuance of cheque for the entire amount due and receivable by her and dispose of the said petition in accordance with the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

26th February, 2016
Bvv

M.Seetharama Murthi, J